



Attorney Docket No. 81699 (7293)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Heinz Willebrand *et al.*

Application No.: 10/840,172

Filed: May 5, 2004

For: HYBRID WIRELESS OPTICAL
AND RADIO FREQUENCY
COMMUNICATION LINK

Group Art Unit: 2638

Examiner: Phan, Hanh

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date.

11/8/05

Date

Sara R. Hart

Sara R. Hart

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Information Disclosure Statement is submitted:

- ☒ Under 37 CFR §1.97(b) before the mailing date of a first Office Action on the merits, after the filing of an RCE under §1.114.
- ☐ Under 37 CFR §1.97(c) together with either:
- ☐ a statement under 37 CFR §1.97(e), or
 - ☐ a fee under 37 CFR §1.17(p) which may be charged to deposit account number 06-1135 of Fitch, Even, Tabin & Flannery.
(after the 37 CFR §1.97(b) time period, but before the mailing date of a final Action, a Notice of Allowance, or an action that otherwise closes prosecution).
- ☐ Under 37 CFR §1.97(d) together with either:
- ☐ a statement under 37 CFR §1.97(e), and

_____ a \$180.00 fee set forth in 37 CFR §1.17(p) which may be charged to deposit account number 06-1135 of Fitch, Even, Tabin & Flannery.
(Filed after final action or notice of allowance, whichever occurs first, but payment of the issue fee.)

_____ Statement under 37 C.F.R. § 1.97(e)(1): The undersigned states that each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.

In accordance with the duty of disclosure imposed by 37 CFR § 1.56 to inform the Patent Office of all patents, publications, applications and other information known by Applicants or Applicants' representative that may be material to the examination of the subject application, Applicants' representative hereby provides this Information Disclosure Statement that is prepared in accordance with 37 CFR §§ 1.97-1.98 and includes Form PTO/SB/08A and PTO/SB/08B with fifty-six (56) references listed as items AA-CE.

Copies of the U.S. patents and U.S. Patent Publications listed on the enclosed form PTO/SB/08A are not enclosed in accordance with 37 C.F.R. § 1.98(a)(2)(ii) which does not require submitting a copy of each cited U.S. patent and U.S. patent application publication for all U.S. national patent applications.

Copies of the remaining items listed on the attached Form PTO/SB/08B are enclosed.

Concise Explanation of Relevance

Item BZ is a copy of a Chinese First Office Action that was issued in Chinese patent application no. 00819317.7, which relates and corresponds to U.S. Patent No. 6,763,195, which is the parent application hereto. The Chinese First Office Action refers to item ED of the IDS mailed to the USPTO on May 5, 2004. An English-language translation of portions of the Chinese First Office Action is included herewith.

Item CA is a copy of an Australian Examiner's Second Report that was issued in Australian patent application no. 2001252868, which relates and corresponds to U.S. Patent No. 6,763,195, which is the parent application hereto. The Australian Examiner's Second Report refers to item ED of the IDS mailed to the USPTO on May 5, 2004.

Item CB is a copy of a "European Search Report" that was issued in European divisional patent application no. 03019647.1-2415, which relates and corresponds to U.S. Patent No. 6,763,195, which is the parent application hereto, and U.S. Application No. 10/646,994. A copy

Supplemental IDS
U.S. Appln. No. 10/840,172

of the "European Search Report" mailed November 4, 2004, is included herewith. A copy of the searched claims is also included.

Item CD is a copy of an Indian First Examination Report that was issued in Indian patent application no. IN/PCT/2002/01247/CHE, which relates and corresponds to U.S. Patent No. 6,763,195, which is the parent application hereto. The Indian First Examination Report refers to item AR and the remaining item has already been made of record and is listed as item BU of the IDS mailed to the USPTO on May 5, 2004.

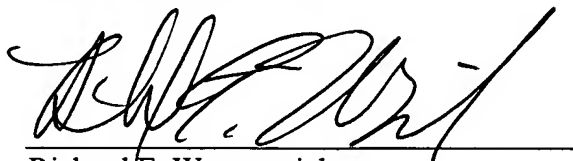
Item CE is a copy of a Chinese "Notice on Grant of Patent Right for Invention", that was issued in Chinese patent application no. 00819317.7, which relates and corresponds to U.S. Patent No. 6,763,195, which is the parent application hereto. The Chinese "Notice on Grant of Patent Right for Invention" which is dated July 22, 2005, is not in the English language. An English-language translation of portions of the Chinese "Notice on Grant of Patent Right for Invention" is included herewith.

The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 06-1135 of Fitch, Even, Tabin & Flannery, Customer No. 22242.

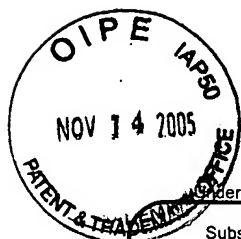
It is requested that the information provided herein be made of record in this application.

Respectfully submitted,

Dated: 11/8/05


Richard E. Wawrzyniak
Attorney for Applicant(s)
Reg. No. 36,048

Address all Correspondence to:
FITCH, EVEN, TABIN & FLANNERY
120 So. LaSalle Street
Suite 1600
Chicago, IL 60603
Telephone: (858) 552-1311
Facsimile: (858) 552-0095



PTO/SB/08A (08-03)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 5

Complete if Known

Application Number	10/840,172
Filing Date	May 5, 2004
First Named Inventor	Heinz Willebrand et al.
Art Unit	2638
Examiner Name	Phan, Hanh
Attorney Docket Number	81699 (7293)

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA	US- 6,529,556	03-04-2003	Perdue et al.	
	AB	US- 5,896,211	04-20-1999	Watanabe	
	AC	US- 6,009,115	12-28-1999	Ho	
	AD	US- 5,347,525	09-13-1994	Faris	
	AE	US- 2001/0053011 A1	12-20-2001	Imajo	
	AF	US- 5,600,471	02-04-1997	Hirohashi et al.	
	AG	US- 6,788,666 B1	09-07-2004	Linebarger et al.	
	AH	US- 5,978,117	11-02-1999	Koonen	
	AI	US- 5,880,865	03-09-1999	Lu et al.	
	AJ	US- 5,457,561	10-10-1995	Taneya et al.	
	AK	US- 5,016,242	05-14-1991	Tang	
	AL	US- 4,726,011	02-16-1988	Ih et al.	
	AM	US- 6,583,908	06-24-2003	Nakamura	
	AN	US- 5,999,295	12-07-1999	Vowell	
	AO	US- 2002/0097468	07-25-2002	Mecherle et al.	
	AP	US- 6,509,991	01-21-2003	Shibuya	
	AQ	US- 4,599,745	07-08-1986	Baran et al.	
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	AR	EP 0 835 035 A1	04-08-1998	Alcatel Alsthom		
	AS	EP 0 876 020 A1	11-04-1998	Alcatel Alsthom		
	AT	EP 0 887 965 A1	12-30-1998	Alcatel Alsthom		
	AU	EP 0 993 124 A2	04-12-2000	Matsushita Electric Industrial...		
	AV	JP 2000-147306	05-26-2000	Kokusai Electric...		✓
	AW	JP 2000-315983	11-14-2000	Hirohashi		✓

Examiner
Signature

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Application Number	10/840,172
Filing Date	May 5, 2004
First Named Inventor	Heinz Willebrand et al.
Art Unit	2638
Examiner Name	Phan, Hanh
Attorney Docket Number	81699 (7293)

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/840,172
				Filing Date	May 5, 2004
				First Named Inventor	Heinz Willebrand et al.
				Art Unit	2638
				Examiner Name	Phan, Hanh
Sheet	3	of	5	Attorney Docket Number	81699 (7293)

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	BD	Cai, M., et al., "5-Gbit/s BER Performance on an All Fiber-Optic Add/Drop Device Based on a Taper Resonator-Taper Structure," IEEE Photonics Technology Letters, Vol. 12, No. 9, pp.1177-9 (September 2000.)	
	BE	Cai, M., et al., "Observation of Critical Coupling in a Fiber Taper to a Silica-Microsphere Whispering-Gallery Mode System," Physical Review Letters, Vol. 85, No. 1, pp. 74-7 (July 3, 2000).	
	BF	Cai, M., et al., "Fiber-coupled microsphere laser," Optics Letters, Vol. 25, No. 19, pp. 1430-1432 (October 1, 2000).	
	BG	Cai, M., et al., "Fiber-Optic Add-Drop Device Based on a Silica Microsphere-Whispering Gallery Mode System," IEEE Photonics Technology Letters, Vol. 11, No. 6, pp. 686-7 (June 1999).	
	BH	Coppin, P. and T.G. Hodgkinson, "Novel Optical Frequency Comb Synthesis Using Optical Feedback," Electronics Letters, Vol. 26, No. 1, pp. 28-30 (January 4, 1990).	
	BI	Kitayama, K., "Highly-Stabilized Millimeter-Wave Generation by Using Fiber-Optic Frequency-Tunable Comb Generator," Journal of Lightwave Technology, Vol. 15, No. 5, pp. 883-93 (May 1997).	
	BJ	Kitayama, K., "Highly-Stabilized, Tunable Millimeter-wave Generation by Using Fiber-optic Frequency Comb Generator," Microwave Photonics, pp. 13-16 (1996).	
	BK	Logan, Jr., R.T., "All-Optical Heterodyne RF Signal Generation Using a Mode-Locked-Laser Frequency Comb: Theory and Experiments," IEEE International Microwave Symposium Digest, Paper #TH4C-2, 4 pages (June 15, 2000).	
	BL	Maleki, L., "Technical Support Package on Whispering-Gallery-Mode Microspheres as Light Modulators," Nasa Tech Brief, Vol. 24, No. 11, 10 pages (November 2000).	
	BM	Novak, D., "Signal Generation Using Pulsed Semiconductor Lasers for Application in Millimeter-Wave Wireless Links," IEEE Transactions on Microwave Theory and Techniques, Vol. 43, No. 9, Part 2, pp. 2257-2262 (September 1995).	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Complete if Known			
		Application Number	10/840,172		
		Filing Date	May 5, 2004		
		First Named Inventor	Heinz Willebrand et al.		
		Art Unit	2638		
Examiner Name	Phan, Hanh				
Sheet	4	of	5	Attorney Docket Number	81699 (7293)

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	BN	Otheru, S. and Noboru Takachio, "Methodology of Unequally Spaced Frequency Allocation for WDM Transmission Systems Using Typical Dispersion Shifted Fiver Cable," IEICE Trans. Commun., Vol. E83-B, No. 6, pp. 1290-7 (June 2000).	
	BO	JDS Uniphase, Product Information for FBG1500-ADM Series - Fiber Bragg Circulated Fixed Add/Drop Modules and WDI515 A1/D1-100GHz Spaced ITU Channel Add/Drop WDM Couplers, 2 pages, http://www.jdsunph.com/HTML/catalog/prod .	
	BP	Giganet Corp., Product Information for EtherAir 1500TM - 2x100Base-TX over OC-3/STM-1, 6 pages http://www.giganet-corp.com/1500100/html .	
	BQ	Sicom Incorporated, Product Information for DVB Satellite Modulator Products, 1 page, http://www.sicom.com/sicom/products/html .	
	BR	Sicom Incorporated, Product Information for SM7060 Programmable Digital Modulator ASIC and MC2470 Modulator Circuit Card, 6 pages.	
	BS	Gould Fiber Optics, Product Information for Wavelength Division Multiplexers, 5 pages.	
	BT	Ceragon Networks, Product Information for FiveAir 3100 and FibeAir 6200, 4 pages.	
	BU	ISC IASERsPEED Solutions, Product Information for SkyNetTM 500 Series -Quick Connectivity for 100 Mbps Fast Ethernet, 2 pages.	
	BV	Mohsen Kavehrad, A Couermeasure to Improve Outage Performance of Interference-Limited Microwave Radio Links; January 1991, Canadian Electrical & Computer Engineering Journal, Vol. 16, No. 1, pp 13-18.	
	BW	Clark, Gerald et al., "Hybrid free space optical/microwave communication networks: a unique solution for ultra high speed local loop connectivity", LightPointe Communications, Inc., pp 46-54, November 2000.	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Sheet	5	of	5	Application Number	10/840,172
				Filing Date	May 5, 2004
				First Named Inventor	Heinz Willebrand et al.
				Art Unit	2638
				Examiner Name	Phan, Hanh
				Attorney Docket Number	81699 (7293)

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	BX	LIGHTPOINTE COMMUNICATIONS INC., "LMDS Versus Free Space Optical Networks", www.lightpointe.com, Doc. No. 610-006514-H0001, February 21, 2001, pages I-III and 1-15 (18 pages).	
	BY	R.A. MULLEN et al., "Wireless Optics Protection of Fiber via SONET Ring Closure", www.lightpointe.com, pp 1-10.	
	BZ	CHINESE PATENT OFFICE, "The First Office Action", dated September 17, 2004, for corresponding application no. 00819317.7, with a copy of pending claims, 17 pages.	✓
	CA	AUSTRALIAN PATENT OFFICE, "Examiner's Report No. 2 on patent application no. 2001252868", dated February 25, 2005, for corresponding application no. 2001252868, with copy of pending claims, 10 pages.	
	CB	EUROPEAN PATENT OFFICE, "European Search Report", dated November 4, 2004, for EP application no. 03019647.1-2415, with copy of searched claims, 5 pages.	
	CD	INDIAN PATENT OFFICE, "First Examination Report", dated June 27, 2005, for corresponding IN application no. IN/PCT/2002/01247/CHE, 2 pages.	
	CE	CHINESE PATENT OFFICE, "Notice on Grant of Patent Right for Invention", dated July 22, 2005, for corresponding application no. 00819317.7, 4 pages.	✓

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.